



The Mysore Gazette

Vol. 51.]

PUBLISHED BY AUTHORITY.

[No. 7.

BANGALORE, THURSDAY, FEBRUARY 17, 1916.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 280—L. C., dated the 29th January 1916.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill to amend the law relating to Government and other Provident Funds is published for general information with a statement of objects and reasons.

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.

A Bill to amend the law relating to Government and other Provident Funds.

Whereas it is expedient to amend the law relating to Government and other Provident Funds; His Highness the Maharaja is pleased to enact as follows:—

Title, extent and commencement.

1. (1) This Regulation may be called the Provident Funds Regulation.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Definitions.

2. In this Regulation,

(1) "Provident Fund" means a fund in which the subscriptions or deposits of any class or classes of employees are received and held on their individual accounts, and includes any contributions, credited in respect of, and any interest accruing on, such subscriptions, or deposits under the rules of the Fund:

(2) "Government Provident Fund" means a Provident Fund constituted by the authority of Government for any class or classes of its employees:

(3) "Compulsory deposit" means a subscription or deposit which is not repayable on the demand, or at the option, of the subscriber or depositor and includes any contribution which may have been credited in respect of and any interest or increment which may have accrued on, such subscriptions or deposit under the rules of the Fund.

Payment from Government on death of subscriber or depositor.

3. When a subscriber to, or depositor in, any Government Provident Fund, dies, the officer or person whose duty it is to make payment of such sum may pay it,

(a) to any person entitled to receive it according to the rules of the Fund, or, in the absence of any rule of the Fund to the contrary, to any person nominated in writing by the deceased subscriber or depositor to receive it;

(b) in default of any such person as aforesaid, to the person who produces a succession certificate or probate or letters of administration obtained under the law in force claiming to be entitled to receive such sum, provided that where the sum payable does not exceed one thousand rupees, payment may be made to such person whom the officer or the person making the payment after reasonable enquiry finds to be entitled to receive it.

4. (1) Compulsory deposits in any Government Provident Fund shall not be liable to attachment under any decree or order of a Court of Justice in respect of any debt or liability incurred by a subscriber to, or depositor in, any such Fund, and a Receiver appointed under the Mysore Insolvency Regulation, 1911, shall not be entitled to, or have any claim on, any such compulsory deposit.

Protection to deposits and other sums in certain cases.

(2) Any sum standing to the credit of any subscriber to, or depositor in, any such Fund at the time of his decease and payable under the rules of the Fund or under this Regulation, to the widow or the children, or partly to the widow and partly to the children, of the subscriber or depositor, or to such person as may be authorised by law to receive payment on her or their behalf, shall vest in the widow or the children, or partly in the widow and partly in the children, as the case may be, free from any debt or other liability incurred by the deceased, or incurred by the widow or by the children, or by any one or more of them, before the death of such subscriber or depositor.

5. No suit or other legal proceeding shall lie against any person in respect of anything done or in good faith intended to be done in pursuance of the provisions of this Regulation.

Protection for anything done in good faith under this Regulation.

6. The Government may in its discretion, by notification in the official Gazette, extend the provisions of this Regulation to any Provident Fund established for the benefit of its employees by any Company which administers a Railway or Tramway in Mysore under contract with Government or for employees under a District Fund or a Municipal Fund, or for any employees in any aided Educational Institution or in a Muzrai Institution, or under any company registered according to law.

Power to extend Regulation to other Provident Funds.

STATEMENT OF OBJECTS AND REASONS.

Since the State has commenced to work Railways whether owned by the State or District Boards, it is deemed necessary to start a Provident Fund Institution for the benefit of those employed on working Railways or in the offices. It is proposed to exempt the person entitled according to the rules of the Fund, to the sum to the credit of a subscriber at his death, or his nominee from the production of a probate or succession certificate and thereby enable him to receive the amount without the trouble and expense involved in obtaining such authority. In other cases exemption is allowed only when the amount does not exceed one thousand rupees. As the Fund is intended mainly for the benefit of the family of the subscriber it is also considered necessary to protect the money from attachment. Power is also taken for extending the provisions to other Provident Funds. The Bill is drawn up on the lines of the British Indian Act.

No. J. 3338.—Legis. 20-13-73, dated 16th February 1916.

In exercise of the power conferred by Section 5 of the Mysore Legislative Council Regulation, 1907, the Government of His Highness the Maharaja are pleased to amend, as follows, the rules issued under Notification No. J. 2292—Legis. 20-13-2, dated 12th February 1914, regarding the conditions under which four Non-official Additional Members of the Legislative Council may be elected from the districts for nomination to the Legislative Council:—

1. After the words "under (i)" in Rule VII (a) the words "and (iii)" shall be added.
2. In Rule VIII, for the words "in class (i)", the words "in classes (i) and (iii)" shall be substituted.

By Order,

V. R. THYAGARAJA IYER,

Secretary to Government,

Revenue Department,

In charge, General Department.